

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:24-cv-60050-LEIBOWITZ/AUGUSTIN-BIRCH

JANE DOE,

Plaintiff,

v.

MSC CRUISES S.A.,

Defendant.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

THIS MATTER was referred to United States Magistrate Judge Panayotta Augustin-Birch for a report and recommendation on the Plaintiff's Unopposed Motion for Approving Settlement of the Minor's Claims [ECF No. 40] ("the Motion"). Judge Augustin-Birch has since issued a Report and Recommendation ("the R&R"), recommending that the Motion be granted and the settlement be approved. [ECF No. 46]. Neither party has filed any objections to the R&R and the time to do so has passed. After careful review of the filings, the applicable law, and the record, the Court adopts Judge Augustin-Birch's R&R in its entirety.

"In order to challenge the findings and recommendations of the magistrate judge, a party must file written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection." *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir. 2006) (cleaned up). The objections must also present "supporting legal authority." S.D. Fla. L. Mag. J.R. 4(b). Once a district court receives "objections meeting the specificity requirement set out above," it must "make a *de novo* determination of those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge." *Macort*, 208 F. App'x at 783–84 (cleaned up). To


the extent a party fails to object to parts of the magistrate judge's report, those portions are reviewed for clear error. *Id.* at 784 (cleaned up).

The parties have not submitted any objections to Judge Augustin-Birch's report and recommendation, and the time to do so has passed. As such, the Court has reviewed the R&R for clear error only. Upon this review, the Court finds not only no clear error but also notes that Judge Augustin-Birch's report is thorough, cogent, and compelling. The Court adopts the report and recommendation in its entirety and grants the Joint Motion for Approval of Settlement.

Accordingly, it is hereby **ORDERED AND ADJUDGED:**

1. Magistrate Judge Augustin-Birch's R&R [ECF No. 46] is **AFFIRMED AND ADOPTED**.
2. The Plaintiff's Unopposed Motion for Approving Settlement of the Minor's Claims [ECF No. 40] is **GRANTED**. The Settlement Agreement [ECF No. 43] is **APPROVED**. This Court retains jurisdiction to enforce the terms of the Settlement Agreement.
3. This matter is **DISMISSED with prejudice**.
4. The Clerk of Court is directed to **CLOSE** this case.

DONE AND ORDERED in the Southern District of Florida on May 13, 2025.



DAVID S. LEIBOWITZ
UNITED STATES DISTRICT JUDGE

cc: counsel of record